

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL McCLENTON,
Petitioner,

CIVIL ACTION

v.

**VINCENT T. MOONEY, and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,**
Respondents.

NO. 14-5321

ORDER

AND NOW, this 9th day of January, 2015, upon consideration of the pleadings and the record in this case, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated December 9, 2014, there being no objection and good cause appearing, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Thomas J. Rueter dated December 9, 2014, is **APPROVED** and **ADOPTED**;

2. Petitioner's Motion for Stay and Abey of Protective Petition for Writ of Habeas Corpus (Document No. 2) is **GRANTED**, and this *habeas corpus* action is **STAYED** and **HELD IN ABEYANCE** until resolution of the pending related state court proceedings; and,

3. Petitioner and respondents shall continue to monitor the state court proceedings and jointly report to the Court (letter to Chambers, Room 12613, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106) upon conclusion of the state court proceedings.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.